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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frank G. Cavazos )  
Serial Number: 10/661,892 ) Examiner: Sunil Singh  
Filing Date: September 15, 2003 ) Art Unit 3673  
For: FIRE RETARDANT CONSTRUCTION )  
FOR MATTRESS ASSEMBLY )

Amendment and Response to Official Action *I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D. C. 20231, on Oct 15, 2004*

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

In response to the Official Action mailed July 15, 2004 and September 20, 2004, please amend the above-identified patent application as follows:

In the Claims

1. (amended) A mattress able to pass an established fire protective test having a fire retarding construction, comprising barrier means releasable from said mattress to be separable therefrom and securable thereto, said barrier means extending around the entire periphery of said mattress when secured thereto to restrict entry of oxygen into the interior portions of said mattress.

2. (amended) A mattress able to pass an established fire protective test as set forth in claim 1, wherein said mattress includes an innercushioning assembly having an upper surface and a lower surface, a top mattress cover over said upper surface of said innercushioning assembly, first insert members between said top mattress cover and said